REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Amend claims 27, 30, 37, 38, 42 and 43.

2. Respectfully traverse all prior art rejections.

B. CLAIM AMENDMENTS

Claims 27 has been amended to include the clarifying phrase "in a Measurement Report message" on line 18, and "for said second parameter" on line 20.

Claim 30 has been amended to include the clarifying phrase "simultaneously reporting" on line 30.

Claim 37 has been amended to include the clarifying phrase "in a Measurement Report message" on line 7, and "for said second parameter" on line 9.

Claim 38 has been amended to include the clarifying phrase "simultaneously reporting" on line 14.

Claim 42 has been amended to include the clarifying phrase "in a Measurement Report message" on line 6, "for said second parameter" on line 9, and "simultaneously reporting" on line 11

Claim 43 has been amended to include the clarifying phrase "simultaneously receiving" on line 17.

- 8 -

All amendments are supported by the technology disclosed in the original specification.

C. PATENTABILITY OF THE CLAIMS

Claims 27-29, 31-38, 39-43 and 44-47 stand rejected under 35 USC 102(e) as being anticipated by U.S. Publication 2004/0109431 to Abrahamson et al. Claims 30, 38 and 43 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Publication 2004/0109431 to Abrahamson et al in view of 3GPP Tech. Spec. 25.215 v.3.1.0. All prior art rejections are respectfully traversed for at least the following reasons.

The technology disclosed in the specification is based on the recognition that a handover decision based on a single parameter e.g. RSCP or Ec/No is less than ideal in a handover situation from GSM to WCDMA. According to prior art the decisions in the respective systems are based on different parameters, thus leaving a large room for error in selecting an optimal cell when handover is deemed necessary. Both the Ec/N0 and the RSCP value at a certain geographical position can be very good at a low traffic load in the network, while the same position may show a quite bad Ec/No value at a higher traffic load whilst maintaining a passable RSCP value. In the same manner, the Ec/No may be very good at a low traffic load, whilst the RSCP is bad at the same low traffic load. This results in a very real risk that for varying traffic load any handover decision is bound to be flawed if the traffic load varies. Thus it can be difficult to define an optimal GSM to UTRAN handover parameter setting.

In order to overcome the above mentioned problems, the pecification discloses a solution where parameters relating to both quality and signal strength (e.g. Ec/No and RSCP) are measured and reported <u>simultaneously</u> for each UTRAN cell in the network. In order to further optimize the reporting format, the values of the two measured parameters are included in a <u>same field</u> in a standardized <u>Measurement Report message</u>

and are reported simultaneously according to one of a respective plurality of value ranges.

US Patent Publication US2004/0109431 to Abrahamson discloses techniques to support cell reselection from GSM to W-CDMA. The technique basically determines if the GSM network a dual mode capable terminal is currently camped on supports a pre-Release 99 version of GSM standard or not, and initiates a search for CDMA cells if the GSM network is deemed to support a pre-Release 99 version of the GSM standard.

Upon cell-reselection, at the end of a WCDMA cell search, the user terminal may obtain a set of measurements for W-CDMA cells found in the search. These measurements can relate to Ec/No, RSCP, or some other measure of signal quality. Cell re-selection is then performed if the measured RSCP exceeds those of the current GSM cell by a certain offset. For a FDD system, cell re-selection is performed if the Ec/No value additionally exceed a particular threshold.

Importantly, Abrahamson does not disclose any discussion about the specifics surrounding how any handover parameters are reported. Abrahamson particularly fails to disclose reporting a first and second parameter simultaneously to a node in the network, and in any specified form. There is no mention of reporting the first parameter according to one value from a limited range of values, simultaneously and together with the second parameter using a limited value range. There, is no mention of how to report the "set of measurements", or in which form they are to be reported to a node.

Consequently, Abrahamson et al. fails to teach or suggest features of the independent claims. Thus, independent claims 27, 37, and 42 are not anticipated nor rendered unpatentable. Claims dependent on the independent claims are patentable for at least the same reasons as the independent claims.

D. **MISCELLANEOUS**

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly ted.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____ /H. Warren Burnam, Jr. _____

                H. Warren Burnam, Jr.
HWB:lsh   Reg. No. 29,366
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100